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**From:** Robinson, Valois [Robinson.Valois@epa.gov]  
**Sent:** 8/6/2020 5:52:15 PM  
**To:** Darling, Corbin [Darling.Corbin@epa.gov]  
**Subject:** RE: White Mesa & other possible 11 e. (2) by-product waste disposal sites

Hi Corbin,

I went back to the sections in the SEIS where NRC made statements about White Mesa, besides what I included from NRC's response to comments. The SEIS is later than the RAI info I sent earlier.

## Ex. 5 Deliberative Process (DP)

Here are NRC's statements:

### 2.1.1.1.6.3 Solid Wastes

The applicant assumes it will obtain an agreement for disposal of byproduct material at the White Mesa site in Blanding, Utah, which is detailed in SEIS Section 3.13.

### 3.13.2 Solid Waste Disposal

The applicant has identified the White Mesa site as the disposal location for solid byproduct material, but a disposal agreement is not yet in place (Powertech, 2011). The White Mesa site, an operating conventional uranium mill in Blanding, Utah, is permitted to construct an additional 1,452,654 m<sup>3</sup> [1,900,000 yd<sup>3</sup>] of tailings impoundment capacity (UDEQ, 2010a); however, in accordance with its license, it must obtain approval from Utah Department of Environmental Quality (UDEQ) to bury ISR waste. Furthermore, it may not receive more than 3,823 m<sup>3</sup> [5,000 yd<sup>3</sup>] of ISR wastes from any single source (UDEQ, 2010b).

### 4.3.1.1.4 Decommissioning Impacts

The applicant has proposed to pursue an agreement with the White Mesa site in Blanding, Utah, for disposal of solid byproduct material (SEIS Section 3.13.2).

*Valois*

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**From:** Darling, Corbin <Darling.Corbin@epa.gov>  
**Sent:** Thursday, August 6, 2020 11:27 AM  
**To:** Robinson, Valois <Robinson.Valois@epa.gov>  
**Subject:** RE: White Mesa & other possible 11 e. (2) by-product waste disposal sites

Hi Valois,

# Ex. 5 Deliberative Process (DP)

Corbin

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**From:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>

**Sent:** Thursday, August 6, 2020 9:08 AM

**To:** Darling, Corbin <[Darling.Corbin@epa.gov](mailto:Darling.Corbin@epa.gov)>

**Cc:** Matsumoto, Kimi <[Matsumoto.Kimi@epa.gov](mailto:Matsumoto.Kimi@epa.gov)>; Chin, Lucita <[Chin.Lucita@epa.gov](mailto:Chin.Lucita@epa.gov)>; Denawa, Mai <[Denawa.Mai@epa.gov](mailto:Denawa.Mai@epa.gov)>

**Subject:** RE: White Mesa & other possible 11 e. (2) by-product waste disposal sites

Hi Corbin,

Powertech mentioned White Mesa in response to a request for additional information (RAI) from NRC. The reason NRC needed to know the proposed destination of byproduct waste is to calculate transportation costs for determining the bond amount for the project. I have included the question and answer below. I looked at this info so long ago and so early in the EJ process that I didn't recall that Powertech also referenced the other NRC licensed disposal facilities. I also included the license requirement below.

## **TR RAI P&R-15**

The applicant has not identified where it will dispose of 11 e. (2) wastes.

Background: Prior to the start of operations, the NRC will need to verify that the applicant has an approved waste disposal agreement for 11 e.(2) byproduct material disposal at an NRC or NRC Agreement State licensed disposal facility (Sections 4.2 and 6.2 of the Technical Report).

Needed: The applicant needs to provide this information now, or the license will have a condition requiring verification of the solid waste disposal agreement prior to the start of operations.

## **TR RAI P&R-15 Response**

TR Section 4.4 and 6.3 will be revised to incorporate the following information.

Powertech will provide an approved waste disposal agreement for 11e.(2) byproduct material prior to beginning operations. Powertech understands that without such an agreement operations cannot begin. Powertech, therefore, acknowledges that without an approved 11e.(2) byproduct material disposal agreement in place prior to issuance of a license, NRC will include a license condition requiring verification of an approved 11e.(2) byproduct material disposal agreement at an NRC or NRC Agreement State licensed disposal facility prior to the start of operations.

Powertech based the financial assurance estimate and transportation analysis on disposal of 11e.(2) byproduct material at the White Mesa facility near Blanding, Utah. However, as described in the response to TR RAI MI-4(c), the transportation distance is similar or less to several alternative NRC or NRC Agreement State licensed facilities.

Info from the response to TR RAI MI-4(c)

The cost estimate is based on a transportation distance of 785 miles from the project area to the White Mesa facility near Blanding, UT. Transportation costs to alternate 11e.(2) byproduct material disposal facilities will be similar or less. For example, the Pathfinder Mines Corporation Shirley Basin Facility is approximately 250 miles away, the Energy Solutions LLC Clive Disposal Site near Clive, UT is approximately 700 miles away, and the Waste Control Specialists LLC facility near Andrews, TX is approximately 900 miles away.

**License requirement 9.9:** The licensee shall dispose of solid byproduct material from the Dewey-Burdock Project at a site that is licensed by the NRC or an NRC Agreement State to receive byproduct material.

*Valois*

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**From:** Darling, Corbin <[Darling.Corbin@epa.gov](mailto:Darling.Corbin@epa.gov)>  
**Sent:** Wednesday, August 5, 2020 5:22 PM  
**To:** Robinson, Valois <[Robinson.Valois@epa.gov](mailto:Robinson.Valois@epa.gov)>  
**Subject:** White Mesa

Hi Valois,

## Ex. 5 Deliberative Process (DP)

Thanks,  
Corbin

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